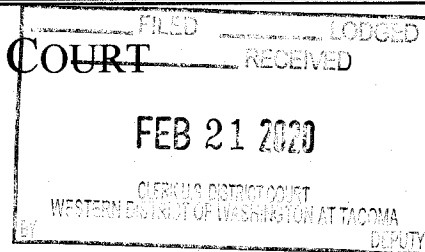


UNITED STATES DISTRICT COURT

for the
Western District of Washington

In the Matter of the Search of
(Briefly describe the property to be searched
or identify the person by name and address)

INFORMATION ASSOCIATED WITH SEVEN
FACEBOOK ACCOUNTS

Case No. MJ20-5029

APPLICATION FOR A SEARCH WARRANT

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (identify the person or describe the property to be searched and give its location):

See Attachment A, attached hereto and incorporated herein by reference.

located in the Northern District of California, there is now concealed (identify the person or describe the property to be seized):

See Attachment B-1, attached hereto and incorporated by reference herein.

The basis for the search under Fed. R. Crim. P. 41(c) is (check one or more):

- ☒ evidence of a crime;
☐ contraband, fruits of crime, or other items illegally possessed;
☐ property designed for use, intended for use, or used in committing a crime;
☒ a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

Code Section	Offense Description
18 USC § 1073	Unlawful Flight to Avoid Prosecution

The application is based on these facts:

See Affidavit of FBI Special Agent Terrance G. Postma, attached hereto and incorporated by reference herein.

- ☒ Continued on the attached sheet.
☐ Delayed notice of _____ days (give exact ending date if more than 30 days: _____) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.

Terrance G. Postma
Applicant's signature

Terrance G. Postma, Special Agent
Printed name and title

Sworn to before me and signed in my presence.

Date: 02/21/2020

City and state: Tacoma, Washington

David W. Christel
Judge's signature

Hon. David W. Christel, United States Magistrate Judge
Printed name and title

AFFIDAVIT

STATE OF WASHINGTON)

) ss

COUNTY OF PIERCE)

I, Terrance G. Postma, being first duly sworn, hereby depose and state as follows:

BACKGROUND

1. I have been employed as a Special Agent of the FBI since June 2002 and am currently assigned to the Seattle Division's Tacoma Resident Agency. I am responsible for investigations of violent crime, fugitives, and bank robbery. As a federal agent, I am authorized to investigate violations of laws of the United States and to execute warrants issued under the authority of the United States.

2. The facts in this affidavit come from my personal observations, my training and experience, and information obtained from other agents and witnesses. This affidavit is intended to show merely that there is sufficient probable cause for the requested warrant and does not set forth all of my knowledge about this matter.

3. Based on my training and experience and the facts as set forth in this affidavit, there is probable cause to search the information described in Attachment A for the purpose of locating and apprehending Santiago Mederos who has a federal arrest warrant issued in the Western District of Washington for a charge of Unlawful Flight to Avoid Prosecution, Title 18, United States Code, Sections 1073 (MJ16-5179) arising from his flight from the Western District of Washington to avoid charges of murder, as described below. There is also probable cause to search the information described in Attachment A for evidence in the fugitive investigation, as described in Attachment B-1, and for location information, as described in Attachment B-2.

PURPOSE OF AFFIDAVIT

4. I make this affidavit in support of an application for a search warrant for information associated with and tracker warrant for the following Facebook accounts ("Subject Accounts"):

(1) Facebook user ID 100045392260014 (Subject Account 1), registered under the username Claudia Perez,

(2) Facebook user ID 100035321705105 (Subject Account 2), registered under the username Claudia Perez,

(3) Facebook user ID 100032782312646 (Subject Account 3), registered under the username Claudia Perez,

(4) Facebook user ID 100026647093118 (Subject Account 4), registered under the username Yadira Perez,

(5) Facebook user ID 100034394750948 (Subject Account 5), registered under the username Antony Tadeo Villa Ocampo,

(6) Facebook user ID 100030779393705 (Subject Account 6), registered under the username Yadiel Garcia, and

(7) Facebook user ID 100036114281842 (Subject Account 7), registered under the username of Cartel Santana.

5. All of the requested information is stored at premises owned, maintained, controlled, or operated by Facebook, a social networking company headquartered in Menlo Park, California. The information to be searched is described in the following paragraphs and in Attachment A. This affidavit is made in support of an application for a search warrant under 18 U.S.C. §§ 2703(a), 2703(b)(1)(A) and 2703(c)(1)(A) to require Facebook to disclose to the government records and other information in its possession, pertaining to the subscriber or customer associated with Subject Accounts. The affidavit also supports a tracker warrant for the same accounts listed in Attachment A.

PRIOR APPLICATION

6. This is the first such request for the subject accounts.

SUMMARY OF PROBABLE CAUSE

7. In 2010, Santiago Mederos fled from Tacoma to Mexico after the murder of Camille Love and Jose Lucas. Santiago Mederos has outstanding warrants for the respective murders, and this Court has charged him for violation of Unlawful Flight to Avoid Prosecution, Title 18, United States Code, Sections 1073 on September 30, 2016 under Case No. MJ16-5179.

8. As described below, investigation by law enforcement has led to a Mexican phone number that is associated with a WhatsApp account whose profile photo includes a photograph of Santiago Mederos and Claudia Perez. Further search warrant returns indicate a romantic relationship between the two individuals. The Subject Accounts appear to be utilized by Claudia Perez (Subject Account 1, Subject Account 2, Subject Account 3, and Subject Account 4), Santiago Mederos (Subject Account 5 and Subject Account 6), and Nico Olvera (Subject Account 7) as described in more detail below.

STATEMENT OF PROBABLE CAUSE

A. SANTIAGO MEDEROS AND THE LOVE AND LUCAS MURDERS

9. On February 7, 2010, Tacoma Police Department (TPD) officers responded to the 5900 block of Portland Avenue regarding a shooting. At the scene, TPD officers and detectives discovered that Camile Love was the shooting victim. Love died from the injuries sustained in the shooting. Based on interviews of witnesses and informants who admitted to participation in the shooting, the TPD detectives concluded that Santiago Mederos was the prime suspect in Love's murder and that the shooting was a result of a gang turf war.

10. On March 25, 2010, a homicide occurred within the city of Tacoma. TPD detectives identified the homicide victim as Jose Saul Lucas and identified the prime suspect in his murder as Santiago Mederos. Based on interviews of two witnesses, TPD detectives concluded that Santiago Mederos, a known member of the Eastside Lokotes Sureños (ELS) gang, and four other ELS gang members went to the residence of a rival

1 gang member, Reynaldo Orozco, to collect money. When they could not find the rival
2 gang member, they broke into and damaged Orozco's car, which was parked at the
3 residence. When three individuals, who lived with Orozco, realized that the ELS gang
4 members were vandalizing Orozco's vehicle, they confronted the gang members and a
5 fight ensued. While attempting to flee the scene, Santiago Mederos and his accomplices
6 fired a single gunshot, which struck and killed one of Orozco's roommates, Jose Saul
7 Lucas.

8 11. As a result of their initial investigation, TPD detectives obtained an arrest
9 warrant for Santiago Mederos for his involvement in the homicide. Further investigation,
10 to include interviews with witnesses, friends and family members, revealed that Santiago
11 Mederos is aware that he has a warrant for his arrest and has subsequently gone into
12 hiding.

13 12. Ashley Rios, a friend of Santiago Mederos, stated in an interview with
14 TPD detectives that she travelled to Mexico with Santiago Mederos to his Aunt's
15 residence in Guerrero, Mexico, shortly after the Lucas murder.

16 13. Efforts to date to locate Santiago Mederos in Mexico have been
17 unsuccessful.

18 **B. SUBJECT ACCOUNTS**

19 14. **Summary of Subject Accounts.** During the course of this investigation,
20 law enforcement located a Mexican phone number, +52-7341170819, which has been
21 used to contact Mederos family members and has been used for a WhatsApp account
22 with a profile picture of Santiago Mederos and Claudia Perez. Prior search warrant
23 returns indicate that Santiago Mederos and Claudia Perez are in a romantic relationship
24 and in close proximity to each other. Returns also indicate that Nico Olvera is a friend of
25 Santiago Mederos and also in close proximity to Mederos. Subject Accounts 1 through 6
26 appear to belong to Mederos or Perez and Subject Account 7 belongs to Olvera. Thus,
27 there is probable cause to believe that information from the Subject Accounts would
28

1 include evidence of a crime, namely Unlawful Flight to Avoid Prosecution, and evidence
2 regarding the location of Santiago Mederos.

3 15. In the course of this investigation, law enforcement has reviewed
4 telephone records of members of the Mederos family and records of telephone numbers
5 that are in communication with members of the Mederos family. In the course of
6 reviewing those records, law enforcement identified a number, +52-7341170819.
7 According to call records, the number ending in 0819 is in communication with
8 individuals who are close to the Mederos family.

9 16. An online search of publicly available information indicate that the user
10 of the number ending in 0819 has a WhatsApp account under the same telephone
11 number. The WhatsApp account included a public profile picture of an individual who
12 resembles Santiago Mederos, an unknown adult female that resembles Claudia Perez, and
13 an unknown juvenile female.

14 17. Law enforcement has reviewed the WhatsApp profile picture associated
15 with the number ending in 0819 and observed that the male individual in the WhatsApp
16 profile picture has a tattoo on the right side of his neck and on his right shoulder. These
17 tattoos and the appearance of the individual's face match a photograph of Santiago
18 Mederos that law enforcement obtained from a prior Facebook search warrant return in
19 this investigation.

20 18. Law enforcement has reviewed the WhatsApp profile picture associated
21 with the number ending in 0819 and observed the hair of the adult female in the
22 WhatsApp profile picture is black in color and that the ends of the hair appear to be
23 colored blonde. The hair and the appearance of the individual's face match pictures
24 posted to Subject Account 1, Subject Account 2, Subject Account 3, and Subject Account
25 4.

26 19. Based on review of records returned to investigators by Facebook, Inc.
27 pursuant to a search warrant issued by this Court, the user of the number ending in 0819
28 has a Facebook account with the registered username of "Antono Mendoza". The user of

1 the Facebook account responded to a text sent to the Mexican phone number +52-
2 7341170819 on August 10, 2019. The date of birth provided by the account holder of the
3 "Antono Mendoza" Facebook account is June 5, 1990. The birthdate of Santiago
4 Mederos is June 5, 1991. Prior search warrant returns indicate that variations of the name
5 "Antonio," like "Antono," are common aliases for Santiago Mederos.

6 20. Based on review of records returned to investigators by Facebook, Inc.
7 pursuant to a search warrant issued by this Court, the Facebook account with the
8 username "Antono Mendoza" and a Facebook account with the username "Antony Villa"
9 are linked by machine cookie, which means that two particular accounts have been
10 accessed by the same individual machine (e.g., two Facebook accounts that have been
11 accessed on the same phone). Such a "link" between two accounts indicates that the
12 users are the same person or in close proximity to each other. Facebook records returned
13 to investigators pursuant to a previous order of this Court revealed that the username for
14 two other Facebook accounts previously used by Santiago Mederos are "Anthony Villa"
15 and "Antonio Villa," which is based on Mederos's other family name, Villalba. The date
16 of birth provided by the account holder of the "Antony Villa" Facebook account is June
17 5, 1995. The birthdate of Santiago Mederos is June 5, 1991.

18 21. Based on review of records returned to investigators by Facebook, Inc.
19 pursuant to a search warrant issued by this Court, the user of the Facebook account with
20 the username "Antony Villa" sent a message to the user of Subject Account 1 on January
21 27, 2020. The message when roughly translated says "Rest and sweet dreams, my love. I
22 confess that I'm crazy in love with you but I recognize that it makes no sense if you don't
23 feel the same. I love you, baby. See you tomorrow."

24 22. The user of the Facebook account with the username "Antony Villa" also
25 sent a message to the user of Subject Account 1 on January 30, 2020. The message
26 when roughly translated says "Hello my love. God willing, everything will be fine, my
27 queen. Cheer up, baby. I love you all, for real. I want to apologize to you from the
28 bottom of my heart for how I am with you. I know we barely talk anymore. As you will

1 say, it's not possible because they are just looking after [us]. Never doubt that I love you
 2 and our four babies. You are my whole world. I love you, you are the most beautiful and
 3 perfect thing that God has given me."

4 23. Based on review of information available to the public the same picture
 5 posted on December 30, 2019 as a profile picture to Subject Account 1 is posted:

6 (1) As a profile picture to Subject Account 2 on April 17, 2019,

7 (2) As a cover photo to Subject Account 3 on January 31, 2019, and

8 (3) As a cover photo to Subject Account 4 on June 16, 2018.

9 24. Based on review of information available to the public another picture
 10 posted on February 2, 2020 as a profile picture to Subject Account 1 is posted:

11 (1) As a profile picture to Subject Account 2 on April 16, 2019, and

12 (2) As a profile picture to Subject Account 4 on August 2, 2018.

13 25. Based on review of records returned to investigators by Facebook, Inc.
 14 pursuant to a search warrant issued by this Court, the user of a Facebook account with the
 15 username "Nico Olvera" posted a photo in Mobile Uploads along with a caption posted in
 16 English that states, "Feeling happy with Antony Villa, Claudia Perez, and Rigoberto
 17 Olvera on July 4, 2019. A viewer can click on each of the three names and will be
 18 directed to the Facebook account. If a user clicks on the name Claudia Perez, they will
 19 be directed to Subject Account 3. The picture that is posted depicts two adult males, one
 20 of which appears to be Santiago Mederos, one adult female who appears to be Claudia
 21 Perez, one juvenile male, and two juvenile females standing in front of a pink wall. A
 22 comment posted in Spanish by the user of the "Antony Villa" Facebook account is
 23 roughly translated to state "This is always supporting the family in good times the bad
 24 and the worst but woe and want to simply support them in their studies."

25 26. Open source research reveals that the username of Subject Account 5 is
 26 "Antony Tadeo Villa Ocampo" and the account is associated as friends with three
 27 Facebook accounts. The usernames of those three accounts is "Maricarmen Olvera",
 28 "Juan Pablo Olvera", and "Nico Olvera." Review of records returned to investigators by

1 Facebook, Inc. pursuant to a search warrant issued by this Court for each of those
2 accounts confirms the association as friends of those accounts to Subject Account 5.
3 Further, Subject Account 5 exchanged messages with the users of the Facebook accounts
4 with usernames "Nico Olvera" and "Juan Pablo Olvera." The Facebook account with the
5 username "Nico Olvera" is the same Facebook account with the username "Nico Olvera"
6 previously discussed in this affidavit.

7 27. Based on review of records returned to investigators by Facebook, Inc.
8 pursuant to a search warrant issued by this Court, on January 26, 2019, a Facebook
9 account utilized by Santiago Mederos set the nickname for the Facebook account with the
10 username "Nico Olvera" to "Kiko Man" in a Facebook messenger thread between the
11 accounts. On March 7, 2019 Subject Account 5 set the nickname for the Facebook
12 account with the username "Nico Olvera" to "Kiko Man" in a Facebook messenger
13 thread between the accounts.

14 28. Based on review of records returned to investigators by Facebook, Inc.
15 pursuant to a search warrant issued by this Court, Subject Account 6 and the Facebook
16 user with the username "Maricarmen Olvera" engage in a conversation on February 13,
17 2020. During the conversation the user of Subject Account 6 roughly states, "You know
18 I love you but you better take care of our baby and never tell her about me, take care of
19 her Claudia."¹ During the conversation, the user of Subject Account 6 continues to refer
20 to a baby and how difficult it is to be apart from the baby. The user of the Facebook
21 account with the username "Maricarmen Olvera" and the user of Subject Account 6 agree
22 to meet on Sunday in "the garden."

23 29. Open source research reveals that the username of Subject Account 6 is
24 "Yadiel Garcia." A profile picture posted to Subject Account 6 on February 12, 2020 is
25 the same photo posted to Subject Account 1, Subject Account 2, Subject Account 3, and
26

27
28 ¹ The original message is in Spanish, and I have used a translation service to translate the message into English in this Affidavit.

1 Subject Account 4, as described earlier, and depicts Claudia Perez. The user of Subject
2 Account 6 posted a comment with the profile picture that states "te amo mi nina y
3 mucho" which roughly translated states "I love you a lot my girl."

4 30. Another picture posted to Subject Account 6 on February 12, 2020,
5 depicts an infant girl with the comment "no podre estar con tigo me bb pero siempre
6 pienso en ti dia adia no che tras noche" which roughly translated states "I may not be able
7 to be with you, baby, but I think about you day after day and night after night."

8 31. A profile photo posted to Subject Account 6 on February 5, 2020, depicts
9 what appears to be the same infant baby girl. The user of Subject Account 6 posted a
10 comment with this profile picture that states "te amo mi bebita preciosa" which roughly
11 translated states "I love you my precious baby."

12 32. Based on review of records returned to investigators by Facebook, Inc.
13 pursuant to a search warrant issued by this Court there is an Instagram account linked to
14 the Facebook account with the username "Nico Olvera," a friend in communication with
15 Santiago Mederos, as described above. The linked Instagram account is associated with
16 the email account nicoolvera117@gmail.com. Based on review of records returned to
17 investigators by Facebook, Inc. pursuant to a prior order of this court the email account
18 nicoolvera117@gmail.com is a registered email address for Subject Account 7. To
19 "register" an email address, it requires confirmation by the account holder.

20 C. FACEBOOK INFORMATION STORAGE

21 33. I am aware from my experience and training, and consultation with other
22 investigators, of the following information about Facebook:

23 34. Facebook owns and operates a free-access social networking website of
24 the same name that can be accessed at <http://www.facebook.com>. Facebook allows its
25 users to establish accounts with Facebook, and users can then use their accounts to share
26 written news, photographs, videos, and other information with other Facebook users, and
27 sometimes with the public.
28

1 35. Facebook asks users to provide basic contact and personal identifying
2 information to Facebook, either during the registration process or thereafter. This
3 information may include the user's full name, birth date, gender, contact e-mail
4 addresses, Facebook passwords, Facebook security questions and answers (for password
5 retrieval), physical address (including city, state, and zip code), telephone numbers,
6 screen names, websites, and other personal identifiers. Facebook also assigns a user
7 identification number to each account.

8 36. I know from speaking with other law enforcement that "cookies" are
9 small files placed by a server (such as those used by Facebook) on a device to track the
10 user and potentially verify a user's authentication status across multiple sites or
11 webpages. This cookie could be unique to a particular account (e.g., the Facebook
12 account) or to a given device (e.g., the particular phone used to access the Facebook
13 account). The next time a user visits a particular site or server, the server will ask for
14 certain cookies to see if the server has interacted with that user before. Cookies can also
15 be used to determine "machine cookie overlap," or multiple accounts that have been
16 accessed by the same individual machine (e.g., two Facebook accounts that have been
17 accessed on the same phone). The machine cookie overlap thus allows Facebook to track
18 accounts that are "linked" to each other because the same user account (username on a
19 computer) on the same device accessed multiple Facebook accounts. This can identify
20 either multiple Facebook accounts used by the same person or used by different people
21 sharing the same user account and device. In either case, the machine cookie overlap
22 means that the users of the linked accounts are the same person or two people in close
23 proximity to each other.

24 37. Facebook users may join one or more groups or networks to connect and
25 interact with other users who are members of the same group or network. Facebook
26 assigns a group identification number to each group. A Facebook user can also connect
27 directly with individual Facebook users by sending each user a "Friend Request." If the
28 recipient of a "Friend Request" accepts the request, then the two users will become

1 “Friends” for purposes of Facebook and can exchange communications or view
2 information about each other. Each Facebook user’s account includes a list of that user’s
3 “Friends” and a “News Feed,” which highlights information about the user’s “Friends,”
4 such as profile changes, upcoming events, and birthdays.

5 38. Facebook users can select different levels of privacy for the
6 communications and information associated with their Facebook accounts. By adjusting
7 these privacy settings, a Facebook user can make information available only to himself or
8 herself, to particular Facebook users, or to anyone with access to the Internet, including
9 people who are not Facebook users. A Facebook user can also create “lists” of Facebook
10 friends to facilitate the application of these privacy settings. Facebook accounts also
11 include other account settings that users can adjust to control, for example, the types of
12 notifications they receive from Facebook.

13 39. Facebook users can create profiles that include photographs, lists of
14 personal interests, and other information. Facebook users can also post “status” updates
15 about their whereabouts and actions, as well as links to videos, photographs, articles, and
16 other items available elsewhere on the Internet. Facebook users can also post information
17 about upcoming “events,” such as social occasions, by listing the event’s time, location,
18 host, and guest list. In addition, Facebook users can “check in” to particular locations or
19 add their geographic locations to their Facebook posts, thereby revealing their geographic
20 locations at particular dates and times. A particular user’s profile page also includes a
21 “Wall,” which is a space where the user and his or her “Friends” can post messages,
22 attachments, and links that will typically be visible to anyone who can view the user’s
23 profile.

24 40. Facebook allows users to upload photos and videos. It also provides users
25 the ability to “tag” (i.e., label) other Facebook users in a photo or video. When a user is
26 tagged in a photo or video, he or she receives a notification of the tag and a link to see the
27 photo or video. For Facebook’s purposes, the photos and videos associated with a user’s
28 account will include all photos and videos uploaded by that user that have not been

1 deleted, as well as all photos and videos uploaded by any user that have that user tagged
2 in them.

3 41. Facebook users can exchange private messages on Facebook with other
4 users. These messages, which are similar to e-mail messages, are sent to the recipient's
5 "Inbox" on Facebook, which also stores copies of messages sent by the recipient, as well
6 as other information. Facebook users can also post comments on the Facebook profiles
7 of other users or on their own profiles; such comments are typically associated with a
8 specific posting or item on the profile. In addition, Facebook has a Chat feature that
9 allows users to send and receive instant messages through Facebook. These chat
10 communications are stored in the chat history for the account. Facebook also has a Video
11 Calling feature, and although Facebook does not record the calls themselves, it does keep
12 records of the date of each call.

13 42. If a Facebook user does not want to interact with another user on
14 Facebook, the first user can "block" the second user from seeing his or her account.

15 43. Facebook has a "like" feature that allows users to give positive feedback
16 or connect to particular pages. Facebook users can "like" Facebook posts or updates, as
17 well as webpages or content on third-party (*i.e.*, non-Facebook) websites. Facebook
18 users can also become "fans" of particular Facebook pages.

19 44. Facebook has a search function that enables its users to search Facebook
20 for keywords, usernames, or pages, among other things.

21 45. Each Facebook account has an activity log, which is a list of the user's
22 posts and other Facebook activities from the inception of the account to the present. The
23 activity log includes stories and photos that the user has been tagged in, as well as
24 connections made through the account, such as "liking" a Facebook page or adding
25 someone as a friend. The activity log is visible to the user but cannot be viewed by
26 people who visit the user's Facebook page.

1 46. Facebook Notes is a blogging feature available to Facebook users, and it
2 enables users to write and post notes or personal web logs (“blogs”), or to import their
3 blogs from other services, such as Xanga, LiveJournal, and Blogger.

4 47. The Facebook Gifts feature allows users to send virtual “gifts” to their
5 friends that appear as icons on the recipient’s profile page. Gifts cost money to purchase,
6 and a personalized message can be attached to each gift. Facebook users can also send
7 each other “pokes,” which are free and simply result in a notification to the recipient that
8 he or she has been “poked” by the sender.

9 48. Facebook also has a Marketplace feature, which allows users to post free
10 classified ads. Users can post items for sale, housing, jobs, and other items on the
11 Marketplace.

12 49. In addition to the applications described above, Facebook also provides
13 its users with access to thousands of other applications on the Facebook platform. When
14 a Facebook user accesses or uses one of these applications, an update about that the
15 user’s access or use of that application may appear on the user’s profile page.

16 50. Some Facebook pages are affiliated with groups of users, rather than one
17 individual user. Membership in the group is monitored and regulated by the
18 administrator or head of the group, who can invite new members and reject or accept
19 requests by users to enter. Facebook can identify all users who are currently registered to
20 a particular group and can identify the administrator and/or creator of the group.
21 Facebook uses the term “Group Contact Info” to describe the contact information for the
22 group’s creator and/or administrator, as well as a PDF of the current status of the group
23 profile page.

24 51. Facebook uses the term “Neoprint” to describe an expanded view of a
25 given user profile. The “Neoprint” for a given user can include the following information
26 from the user’s profile: profile contact information; News Feed information; status
27 updates; links to videos, photographs, articles, and other items; Notes; Wall postings;
28 friend lists, including the friends’ Facebook user identification numbers; groups and

1 networks of which the user is a member, including the groups' Facebook group
2 identification numbers; future and past event postings; rejected "Friend" requests;
3 comments; gifts; pokes; tags; and information about the user's access and use of
4 Facebook applications.

5 52. Facebook also retains Internet Protocol ("IP") logs for a given user ID or
6 IP address. These logs may contain information about the actions taken by the user ID or
7 IP address on Facebook, including information about the type of action, the date and time
8 of the action, and the user ID and IP address associated with the action. For example, if a
9 user views a Facebook profile, that user's IP log would reflect the fact that the user
10 viewed the profile, and would show when and from what IP address the user did so.

11 53. Social networking providers like Facebook typically retain additional
12 information about their users' accounts, such as information about the length of service
13 (including start date), the types of service utilized, and the means and source of any
14 payments associated with the service (including any credit card or bank account number).
15 In some cases, Facebook users may communicate directly with Facebook about issues
16 relating to their accounts, such as technical problems, billing inquiries, or complaints
17 from other users. Social networking providers like Facebook typically retain records
18 about such communications, including records of contacts between the user and the
19 provider's support services, as well as records of any actions taken by the provider or
20 user as a result of the communications.

21 54. Therefore, the computers of Facebook are likely to contain all the material
22 described above, including stored electronic communications and information concerning
23 subscribers and their use of Facebook, such as account access information, transaction
24 information, and other account information. I believe such information is likely to help
25 me locate the fugitive described in this affidavit.

26 **INFORMATION TO BE SEARCHED AND THINGS TO BE SEIZED**

27 55. I anticipate executing this warrant under the Electronic Communications
28 Privacy Act, in particular 18 U.S.C. §§ 2703(a), 2703(b)(1)(A) and 2703(c)(1)(A), by

1 using the warrant to require Facebook to disclose to the government copies of the records
2 and other information (including the content of communications) particularly described in
3 Section I of Attachment B-1. Upon receipt of the information described in Section I of
4 Attachment B-1, government-authorized persons will review that information to locate
5 the items described in Section II of Attachment B-1. Pursuant to a tracker warrant, based
6 on the same statutory authority, I will also seize any location information as described in
7 Attachment B-2.

8 56. As indicated in the Motion for Nondisclosure and Motion to Seal that
9 accompany this affidavit, the government requests, pursuant to the preclusion of notice
10 provisions of Title 18, United States Code, Section 2705(b), that Facebook be ordered not
11 to notify any person (including the subscriber or customer to which the materials relate)
12 of the existence of this warrant for such period as the Court deems appropriate. The
13 government submits that such an order is justified because notification of the existence of
14 this Order would seriously jeopardize the ongoing investigation. Such a disclosure would
15 give the subscriber an opportunity to destroy evidence, change patterns of behavior,
16 notify confederates, or flee or continue his flight from prosecution.

17 57. It is further respectfully requested that this Court issue an order sealing all
18 papers submitted in support of this application, including the application and search
19 warrant and tracker warrant until such dates as provided in the proposed Order. I believe
20 that sealing this document is necessary because the items and information to be seized are
21 relevant to an ongoing investigation. Premature disclosure of the contents of this
22 affidavit and related documents may have a significant and negative impact on the
23 continuing investigation and may severely jeopardize its effectiveness.

24 //

25 //


26 //

27

28

1 **CONCLUSION**

2 58. Based on the forgoing, I request that the Court issue the proposed search
 3 warrant and tracker warrant. This Court has jurisdiction to issue the requested warrants
 4 because it is "a court of competent jurisdiction" as defined by 18 U.S.C. § 2711. *See* 18
 5 U.S.C. §§ 2703(a), (b)(1)(A) & (c)(1)(A). Specifically, the Court is "a district court of
 6 the United States . . . that – has jurisdiction over the offense being investigated." 18
 7 U.S.C. § 2711(3)(A)(i). Pursuant to 18 U.S.C. § 2703(g), the presence of a law
 8 enforcement officer is not required for the service or execution of these warrants.
 9 Accordingly, by this Affidavit and Search Warrant, I seek authority for the government to
 10 search all of the items specified in Section I, Attachment B-1 (attached hereto and
 11 incorporated by reference herein) to the Warrant, and specifically to seize all of the data,
 12 documents and records that are identified in Section II to that same Attachment and,
 13 pursuant to the Tracker Warrant, all location information as described in Attachment B-2.

14
 15 
 16 Terrance G. Postma
 17 Special Agent
 18 Federal Bureau of Investigation

19 The above-named agent provided a sworn statement attesting to the truth of the
 20 contents of the foregoing affidavit on this ^{21st} day of February, 2020.

21
 22 
 23 HON. DAVID W. CHRISTEL
 24 United States Magistrate Judge
 25
 26
 27
 28

ATTACHMENT A

Property to Be Searched

This warrant applies to information associated with the following accounts, each identified by Facebook user ID ("Subject Accounts"):

- (1) Facebook user ID 100045392260014;
- (2) Facebook user ID 100035321705105;
- (3) Facebook user ID 100032782312646;
- (4) Facebook user ID 100026647093118;
- (5) Facebook user ID 100034394750948;
- (6) Facebook user ID 100030779393705; and
- (7) Facebook user ID 100036114281842.

for all such information that is stored at premises owned, maintained, controlled, or operated by Facebook, a company headquartered in Menlo Park, California.

ATTACHMENT B-1**Particular Things to be Seized****I. Information to be disclosed by Facebook**

To the extent that the information described in Attachment A is within the possession, custody, or control of Facebook, including any messages, records, files, logs, or information that have been deleted but are still available to Facebook, or have been preserved pursuant to a request made under 18 U.S.C. § 2703(f), Facebook is required to disclose the following information to the government for each user ID listed in Attachment A:

A. The following information about the customers or subscribers of the Subject Accounts:

- (a) User Neoprint - all user contact and personal identifying information, including full name, user identification number, birth date, gender, contact e-mail addresses, Facebook passwords, Facebook security questions and answers, physical address (including city, state, and zip code), telephone numbers, screen names, websites, and other personal identifiers associated with the current profile information, and all wall postings and messages to and from the user.
- (b) All activity logs for the Subject Accounts and all other documents showing the user's posts and other Facebook activities;
- (c) User photoprint and videos - all photos and videos uploaded, "liked", or tagged by the user, along with all photos uploaded by any user which have the user tagged in them, any associated photos or links to photos in their original format, including all original meta-data or "EXIF" information;

- 1 (d) All profile information; News Feed information; status updates; links to
- 2 videos, photographs, articles, and other items; Notes; Wall postings; friend
- 3 and family lists, including the friend and family Facebook user
- 4 identification numbers; groups and networks of which the user is a member,
- 5 including the groups' Facebook group identification numbers; future and
- 6 past event postings; rejected "Friend" requests; comments; gifts; pokes;
- 7 tags; and information about the user's access and use of Facebook
- 8 applications;
- 9 (e) All other records of communications and messages made or received by the
- 10 user, including all private messages, chat history, calling history, and
- 11 pending "Friend" requests;
- 12 (f) All "check ins" and other location information;
- 13 (g) I.P. Logs - all IP logs showing log-in and log-off and intraconnection I.P.
- 14 activity including I.P. addresses and date/time stamps for account accesses
- 15 as well as account creation I.P. address, date, and time. Provide source port
- 16 information for each I.P. log-in and log-off event for the Subject Accounts;
- 17 (h) All records of the Subject Accounts' usage of the "Like" feature, including
- 18 all Facebook posts and all non-Facebook webpages and content that the
- 19 user has "liked";
- 20 (i) All information about the Facebook pages that each Subject Account is or
- 21 was a "fan" of;
- 22 (j) User Friends List/Information – provide a full list of all past and present
- 23 friends for the Subject Accounts, including all messages and postings
- 24 between accounts and listed friends;
- 25 (k) All records of Facebook searches performed by the Subject Accounts;
- 26 (l) All information about the user's access and use of Facebook Marketplace;
- 27 (m) The types of service utilized by the user;
- 28 (n) The length of service (including start date);

- 1 (o) The means and source of payment for such service (including any credit
- 2 card or bank account number) and billing records;
- 3 (p) All privacy settings and other account settings, including privacy settings
- 4 for individual Facebook posts and activities, and all records showing which
- 5 Facebook users have been blocked by the Subject Accounts;
- 6 (q) All records pertaining to communications between Facebook and any
- 7 person regarding the user or the user's Facebook account, including
- 8 contacts with support services and records of actions taken;
- 9 (r) Names (including subscriber names, Facebook user IDs, and screen
- 10 names);
- 11 (s) Addresses (including mailing addresses, residential addresses, business
- 12 addresses, and e-mail addresses);
- 13 (t) Local and long distance telephone connection records;
- 14 (u) Push Tokens - any unique identifiers that would assist in identifying the
- 15 device(s) associated with the Subject Accounts, including push notification
- 16 tokens associated with the Subject Accounts (including Apple Push
- 17 Notification (APN), Google Cloud Messaging (GCM), Microsoft Push
- 18 Notification Service (MPNS), Windows Push Notification Service (WNS),
- 19 Amazon Device Messaging (ADM), and Baidu Cloud Push, phone
- 20 numbers, IMEI/ESN, serial numbers, instrument numbers), MAC
- 21 addresses, IP addresses, email addresses, and subscriber information;
- 22 (v) Records of session times and durations, and the temporarily assigned
- 23 network addresses (such as Internet Protocol ("IP" addresses) associated
- 24 with those sessions along with time, type, machine (including MAC
- 25 addresses) cookie, city, region, country, device, and browser;
- 26 (w) Facial recognition data;
- 27 (x) Linked accounts;
- 28 (y) Family members associated with the user of each Subject Account;

- 1 (z) Work of the user of each Subject Account;
- 2 (aa) Telephone or instrument numbers or identities (including MAC addresses);
- 3 (bb) Other subscriber numbers or identities (including temporarily assigned
- 4 network addresses and registration IP addresses);
- 5 (cc) User Contact Information – all user contact information input by the user
- 6 including name, birthdate, contact email address(es), other related email
- 7 addresses, address, city, state, zip code, all phone numbers, screen name(s),
- 8 and website information, to include basic subscriber information and
- 9 expanded subscriber information;
- 10 (dd) Group Contact Information – a list of the user’s currently registered groups;
- 11 (ee) Location Information – all information pertaining to location data for the
- 12 Subject Accounts, including but not limited to geo-location data and all
- 13 other geo-tagging or geo-location related information;
- 14 (ff) Device Information – all information pertaining to devices used to upload
- 15 photos, posts, messages, or updates, including but not limited to Apple
- 16 UDID, mobile phone number, mobile device ID numbers, and all other
- 17 information related to the devices;
- 18 (gg) Poke Information – all information pertaining to “pokes” initiated by or
- 19 received by the Subject Accounts;
- 20 (hh) Private Messages – all information pertaining to any and all private
- 21 messages to include content, call logs, and location information for the
- 22 Subject Accounts;
- 23 (ii) Facebook Messenger – all information pertaining to any and all incoming
- 24 and outgoing Facebook messenger text strings and conversations for the
- 25 Subject Accounts; and
- 26 (jj) All other account information including: any “about you” information, ads,
- 27 apps and websites, calls and messages, comments, events, following and
- 28 followers, friends, groups, likes and reactions, location history,

1 marketplace, messages, other activity, pages, payment history, photos and
 2 videos, posts, profile information, saved items, search history, security and
 3 login information, and “your places” information.
 4

5 B. All records and other information (not including the contents of communications)
 6 relating to the Subject Accounts, including:
 7

8 (a) Records of user activity for each connection activity for each connection
 9 made to or from the Subject Accounts, including log files; messaging logs;
 10 the date, time, length, and method of connections; data transfer volume;
 11 user names; and source and destination of Internet Protocol addresses;

12 (b) Information about each communication sent or received by the Subject
 13 Accounts, including the date and time of the communication, the method of
 14 the communication (such as source and destination email addresses, IP
 15 addresses, and telephone numbers); and

16 (c) Records of any Facebook accounts that are linked to the Subject Accounts
 17 by machine cookies (meaning all Facebook user IDs that logged into
 18 Facebook by the same machine or device as each Subject Account).
 19

20 **II. Information to be seized by the government**

21 All information described above in Section I that relates to the ongoing fugitive
 22 investigation involving Santiago Mederos, including, for each user ID identified on
 23 Attachment A, information pertaining to the following matters:

24 (a) Any content including e-mails, messages, texts, photographs (including
 25 metadata), videos (including metadata), visual images, documents,
 26 spreadsheets, address lists, contact lists or communications of any type
 27 which could be used to identify the user and or their location.
 28

1 (b) Records relating to who created, used, or communicated with the user ID,
2 including records about their identities and whereabouts.

3 (c) All subscriber records associated with the Subject Accounts, including
4 name, address, local and long distance telephone connection records, or
5 records of session times and durations, length of service (including start
6 date) and types of service utilized, telephone or instrument number or other
7 subscriber number or identity, including any temporarily assigned network
8 address, and means and source of payment for such service including any
9 credit card or bank account number.

10 (d) Any and all other log records, including IP address captures, associated
11 with the Subject Accounts;

12 (e) Any records of communications between Facebook and any person about
13 issues relating to the account, such as technical problems, billing inquiries,
14 or complaints from other users about any of the Subject Accounts. This is
15 to include records of contacts between the subscriber and the provider's
16 support services, as well as records of any actions taken by the provider or
17 subscriber as a result of the communications.

ATTACHMENT B-2**Information to be disclosed by Facebook, Inc. (the "Provider")**

To the extent that the information described in Attachment A is within the possession, custody, or control of Facebook, Facebook is required to disclose the following information to the government for each User ID listed in Attachment A:

(a) All location data collected by Facebook for the account, including GPS data and any other physical location information collected by Facebook's location services via the user's mobile phone or other device, on a real-time or near-real time basis. Facebook is required to provide any such data they collect, regardless of the time of day.

II. Information to be seized by the government

(a) All data disclosed by Facebook pursuant to this attachment. This data shall be made accessible by the provider to the Federal Bureau of Investigations 24/7, day or night, and/or emailed to Special Agent Terrance G. Postma at tgpostma@fbi.gov.

III. Time for production by provider

The provider shall begin producing the information required by this attachment within seven (7) days of the date of service of the warrant.

IV. Duration of production

The provider shall produce the information required by this attachment for a period of for forty-five (45) days from the date of issuance of this warrant.

**CERTIFICATE OF AUTHENTICITY OF DOMESTIC BUSINESS
RECORDS PURSUANT TO FEDERAL RULE OF EVIDENCE 902(11)**

I, _____, attest, under penalties of perjury
under the laws of the United States of America pursuant to 28 U.S.C. § 1746, that the
information contained in this declaration is true and correct. I am employed by
Facebook, and my official title is _____. I am a custodian
of records for Facebook. I state that each of the records attached hereto is the original
record or a true duplicate of the original record in the custody of Facebook, and that I am
the custodian of the attached records consisting of _____ (pages/CDs/kilobytes). I
further state that:

- a. all records attached to this certificate were made at or near the time of the
occurrence of the matter set forth, by, or from information transmitted by, a person with
knowledge of those matters;
- b. such records were kept in the ordinary course of a regularly conducted business
activity of Facebook; and
- c. such records were made by Facebook as a regular practice.

I further state that this certification is intended to satisfy Rule 902(11) of the
Federal Rules of Evidence.

Date

Signature